

Appl. No. 09/171,910

REMARKS

Reconsideration is requested.

As the Examiner stated on page 2 of the Office Action, claims 20-39 have been renumbered as claims 31-50, respectively. Applicants appreciate the Examiners consideration and assistance in this matter.

Claims 33, 39 and 41 have been canceled.

New claims 51-54 have been added.

In regard to the election of species, the applicants elect Group D with traverse. Claims readable on the elected Group D are 36, 38, 40, 42, 47-49 and 52-54.

In further regard to election of Group D, applicants elect Group G with traverse. The claim readable on elected Group G is 41.

The election requirement is traversed because a thorough and adequate search can be performed without the need for a species electron. The Examiner has already conducted a search as evidenced by the citation of U.S. Patent No. 5,082,605 to Brooks et al. Any additional searching related to particles would necessarily encompass all species of the instant application. Requiring the applicants to file divisional applications so as to encompass all of their instant invention would result in undue expense and burden.

Therefore, reconsideration of the requirement to elect is requested, as is favorable consideration of pending claims 31-32, 34-38, 40 and 42-53.


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With respect to U.S. Patent No. 5,082,605 to Brooks et al., it is remarked that Brooks neither discloses nor suggests using the two kinds of particles specified in claim 31. The smaller particles form a reinforcement of the product in all directions, thus also in a directional component in a direction transverse to the direction of orientation of the large particles. In addition, the smaller particles, randomly oriented, increase the resistance to splitting.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time.

Respectfully submitted,

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Group Art Unit 1772
Examiner Alicia Chevalier
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Title: Plastic-Based Composite Product and Method and Apparatus for
Manufacturing Same

**VERSION WITH MARKINGS TO SHOW CHANGES MADE ACCOMPANYING
RESPONSE TO OCTOBER 19, 2001 OFFICE ACTION**

In the Claims

The claims have been amended as follows. Underlines indicate insertions
and ~~strikeouts~~ indicate deletions.

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36. (Amended) Product as claimed in claim ~~34~~ 52,

wherein the particles include particles of wood material, wherein said wood material particles have a transverse dimension perpendicular to said first particle direction, the ratio between the length in the first particle direction and said transverse dimension amounting to a minimum of 4, wherein the wood particles are present in the plastic mass in a quantity of 40-80% by mass, and wherein the product complies with the following requirements relating to mechanical properties in

- bending strength in the first particle direction: at least 8 MPa
- bending modulus in the first particle direction: at least 3 GPa
- tensile strength in the first particle direction: at least 6 MPa
- tensile stress modulus in first particle direction: at least 3 GPa
- tensile strength transversely of first particle direction: at least 0.3 MPa
- tensile stress modulus transversely of first particle direction: at least 1 GPa.

37. (Amended) Product as claimed in claim ~~36~~ 51,

wherein the wood particles consist of a material selected from the group consisting of fir, spruce, birch and poplar.

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42. (Amended) Product as claimed in claim ~~36~~ 53,

wherein the polyolefine material is a material selected from the group consisting of polypropylene, polystyrene, polyethylene or polyacrylate.

43. (Amended) Product as claimed in claim 31,

further comprising an additive with a desired influence on chosen properties of the product and selected from the group of additives consisting of the following classes:

- influencers of adhesion between particles with tensile strength and matrix polymer (class H),
- influencers of the properties of the surface of the product, particularly in respect of coatings or adhesives for applying in sandwich structures (class O),
- influencers of the pyrogenic properties (class P),
- influencers of the particle durability (class D),
- blowing means for obtaining a foamed structure (class B), ~~in the case of unintended, sufficiently great temperature increase.~~

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